

## **Issue Paper**

### **Project Inspector Replacement Requirements**

**ISSUE:**

Successful completion of project inspection is essential for timely project certification. Important inspection functions include timely submission of semi-monthly reports, identification of non-compliant construction, documentation of materials testing and submission of final verified reports. Although school project owners are required to retain and maintain a DSA-certified project inspector for each construction project, it is not uncommon for the inspector assignment to change.

A replacement of an inspector during construction and prior to project completion, without proper transition, can be disruptive and detrimental to project certification. Documentation may indicate a gap in project inspection, precluding certification of construction project by the DSA.

DSA is proposing regulation changes that would specify a requirement for a transition from outgoing project inspector to incoming inspector. This process would ensure that the replacement of inspectors is properly documented and work does not proceed without a DSA-approved inspector.

**BACKGROUND:**

At the February 9, 2012 Committee meeting, the DSA introduced proposed regulations for a reporting process that would establish an orderly transition between outgoing and incoming inspector. This process could minimize the disruptions to project inspection and resulting certification challenges.

At the March 15, 2012 meeting, the DSA presented its proposal with additional modifications, which were also discussed by the Committee. The members expressed support for the proposal but asked that DSA puts measures in place to ensure that an inspector replacement process does not cause construction stoppages.

**DSA PROPOSAL:**

The DSA reviewed the Committee's concerns and determined that the requirement for replacement inspector, once codified, would require procedural clarifications through Interpretation of Regulations (IR) A-7 and DSA forms, such as Form 5. These clarifications would address the process and the time requirements for approval of a replacement inspector. The IR changes could also clarify the process for school districts to provide for interim coverage, for example in cases of an emergency or when a permanent replacement inspector is not immediately available. The DSA will prepare the changes to IR and Form 5 and present it to the Committee for vetting in future meetings.

The language attached is unchanged from the March 15, 2012 proposal with the exception of the phrase "continuation of construction" which replaced the phrase "commencement of construction," as suggested by the Committee.

**PROPOSED REGULATION CHANGES:****Section 4-333. Observation and Inspection of Construction.**

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**(b) Inspection by Project Inspector.**

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6. An approved project inspector may be replaced in accordance with the process outlined in Section 4-341(d)3. The school district shall ensure that a replacement inspector is provided prior to continuation of construction work. DSA may withhold approval of the replacement inspector until a verified report by the previous project inspector is submitted in accordance with Section 4-336(c)5. An approved project inspector may be removed and replaced if the work performed is not in conformance with accepted inspection standards, as determined by the school district and the project architect and engineer with the concurrence of DSA. An approved project inspector may also be removed by DSA if the inspection work performed is not in conformance with accepted standards; see Section 4-342.

7. The DSA may withdraw the inspector's approval for the project due to failure of project inspector to comply with the requirements contained in Section 4-342(b). The DSA shall communicate the withdrawal of the project inspector's approval in writing to the school district and the responsible architect or engineer. The school district shall ensure that a replacement inspector is provided prior to continuation of construction work.

**4-341. Duties of the architect, structural engineer, or professional engineer.**

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(d) **Approval of Inspectors.** The school district or architect or registered engineer in general responsible charge shall ~~submit to DSA:~~ obtain DSA approval for a project inspector, assistant inspector, and a replacement inspector, if any, prior to commencement of construction work, as applicable and in accordance with the project inspector approval process specified by the DSA. The following shall be submitted to the DSA:

1. The name of the person proposed as project inspector of the work, together with an outline of his or her experience and pertinent qualifications on a Project Inspector Qualification Record (Form DSA-5), at least 10 days prior to the time of starting in accordance with project inspector approval process specified by the DSA.
2. ~~When an assistant inspector is used: the~~ The name of the any proposed assistant inspector together with an outline of his or her experience and pertinent qualifications on an Assistant Inspector Qualification Record (Form DSA-5A) must be submitted at least 10 days prior to the use of the assistant inspector in accordance with project inspector approval process specified by the DSA.
3. ~~When a special inspector is used, the~~ The name of the any special inspector to be used in accordance with Section 4-333(d)5.
4. When a replacement project inspector is retained, the name of the person proposed as the new project inspector of the work, together with an outline of his or her experience and pertinent qualifications on a Project Inspector Qualification Record (Form DSA-5).

DSA forms are available on the Internet at [www.dgs.ca.gov/dsa](http://www.dgs.ca.gov/dsa), or at any DSA regional office.

The responsible architect or ~~registered~~ engineer shall provide general direction of the work of the project inspector and shall immediately notify the school board and DSA by letter if the project inspector is found to be unable or unwilling to perform such duties properly. This notification shall include a statement as to whether the responsible architect or ~~registered~~ engineer is recommending that DSA withdraw its approval of the project inspector and that the school board terminate the inspector's employment. Upon concurrence by DSA with the recommendation of the responsible architect or ~~registered~~ engineer, the DSA will communicate the withdrawal of the project inspector's approval in writing to the inspector, school district and the responsible architect or engineer, is automatic. Upon completion of a terminating verified report, the inspector's duties and responsibilities for the project are ended.

In view of the architect or ~~registered~~ engineer's responsibilities for directing the activities of the inspector, such responsible architect or ~~registered~~ engineer shall review and evaluate the inspector's qualifications before recommending the approval of the inspector to DSA.

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